

**ATTACHMENT D-1**  
**COMMONWEALTH OF VIRGINIA**  
**CONTRACT BETWEEN OWNER AND CONTRACTOR**

This Contract, dated this \_\_\_\_\_ day of \_\_\_\_\_, 2005 between  
\_\_\_\_\_  
\_\_\_\_\_ (“Owner”) and  
\_\_\_\_\_ (“Contractor”),  
is binding among and between these parties as of the date of the Owner’s signature.

## RECITALS

1. The legal address for the Owner and for the Contractor and the addresses for delivery of Notices and other project documents are as follows:

Owner:

Attn:

Address:

City, State, Zip:

Telephone:

FAX:

Contractor:

Attn:

Address:

City, State, Zip:

Telephone:

FAX:

Contractor's Virginia License #:

FEIN/SSN:

2. The Project is identified as:

Project Title:

Project Code – PC#:

### General Project Description:

The Project Code (PC#) indicated above is required to be shown for identification purposes on all project-related material and documents including but not limited to, Notices, Change Orders, Submittals, Requests For Information, Requests For Quotes, Field Orders, minutes of meetings, correspondence, Schedule of Values and Certificate For Payment (Form CO-12), test reports, and related materials.

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3. After competitive sealed bidding pursuant to the Virginia Public Procurement Act, Contractor is awarded this Contract to perform the Work described by the Contract Documents for the above-described project ("the Project").

**THEREFORE**, in consideration of the Recitals set forth above, and good and valuable consideration as set forth below, the parties agree as follows:

**1. STATEMENT OF WORK:** The Contractor shall furnish all labor, equipment, and materials and perform all Work for the Project in strict accordance with the Contract Documents.

**2. CONTRACT DOCUMENTS:** This Contract shall consist of the following:

- this Contract Between Owner and Contractor (Form CO-9);
- the Bid Form submitted by the Contractor;
- Post Bid Modification(s), if any, dated \_\_\_\_\_;
- the General Conditions of the Construction Contract (Form CO-7),  
(referred to as the "General Conditions")
- the Supplemental General Conditions, if any;
- the Special Conditions attached to the Owner's Invitation for Bids;
- the Owner's Project Plans and Specifications dated \_\_\_\_\_;
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All of these documents are incorporated herein by reference.

**3. TIME FOR COMPLETION:** The Work shall be commenced on a date to be specified in a written order of the Owner and shall be Substantially Completed within \_\_\_\_\_ calendar days or not later than the Contract Completion Date which is \_\_\_\_\_. The Work shall be finally completed within 30 days after the date of Substantial Completion of the Work.

**4. COMPENSATION TO BE PAID TO THE CONTRACTOR:** The Owner agrees to pay and the Contractor agrees to accept as just and adequate compensation for the performance of the Work in accordance with the Contract Documents the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_).

**5. PAYMENTS:** The procedures for establishing a Schedule of Values for the Work, for requesting monthly progress payments for Work in place, and for requesting payments for properly stored materials are stated in the General Conditions. Unless otherwise provided under the Contract Documents, interest on payments due the Contractor shall accrue at the rate of one percent per month. §2.2-4354 of the Code of Virginia.

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**6. CONTRACTUAL CLAIMS:** Any contractual claims shall be submitted in accordance with the contractual dispute procedures set forth in Section 47 of the General Conditions and the supplemental instructions or procedures of the contracting State Agency, if any, attached to this Contract.

**7. NON-DISCRIMINATION:** §2.2-4311 of the Code of Virginia applies to this contract. See Section 4 of the General Conditions.

**IN WITNESS WHEREOF**, the parties hereto on the day and year written below have executed this agreement in three (3) counterparts, each of which shall, without proof or accountancy for the other counterparts, be deemed on original thereof.

**For the CONTRACTOR:**

**For the OWNER:**

By: \_\_\_\_\_  
(signature in ink) (date)

By: \_\_\_\_\_  
(signature in ink) (date)

\_\_\_\_\_  
(typed name)

\_\_\_\_\_  
(typed name)

\_\_\_\_\_  
(typed title)

\_\_\_\_\_  
(typed title)

Attest:

Attest:

\_\_\_\_\_  
(signature in ink) (date)

\_\_\_\_\_  
(signature in ink) (date)

Attachments:

- Bid Form Submitted by the Contractor
- Post Bid Modification, if any